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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,227	11/21/2000	Il Gun Kwon	0465-0766P-SP	8106
2292	7590	05/09/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			VU, KIEU D	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/716,227	<b>Applicant(s)</b> KWON ET AL.	
	<b>Examiner</b> Kieu D. Vu	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 48-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 48 is/are allowed.
- 6) ☒ Claim(s) 49 and 50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 12/12/05.

Claims 48-50 are pending.

2. The indicated allowability of claims 49-50 is withdrawn in view of the newly discovered reference(s) to Bowden et al (USP 5588107) and Ohyama et al (USP 5751373). Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 48-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over ("Bowden", USP 5588107) and Ohyama et al ("Ohyama", USP 5751373).

Regarding claim 49, Bowden teaches a method for displaying a menu (col 3, lines 20-24), the method comprising displaying in a first region a plurality of selectable main menu items (see master menu 200 which comprises a plurality of selectable menu panels 204-218) (see Fig. 3, col 5, lines 29-34), an item indicator (mouse 11, see Fig. 1, also see col 3, lines 11-17) for selecting any one of the plurality of selectable main menu items (for example, menu panels 208, 210, and 212 are selected as described in lines 54-57 of col 5 and Fig. 4-5), each main menu item being related to a corresponding set of controllable functions of an application or system (see col 5, lines 39-43) and occupying a separately delineated space of the first region (master menu is

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displayed in a bounded region, see Fig. 3, also see “Bounded region 202” of line 39 of col 5);

allocating, according to a first operation of the item indicator, a new separately delineated space formed by redisplaying the plurality of main menu items to interpose the new separately delineated space between the separately delineated space occupied by the selected main menu item and the separately delineated space occupied by the unselected main menu item, such that the interposed space abuts on each of the separately delineated space occupied by the selected main menu item and the separately delineated space occupied by the unselected main menu item (for example, when menu panel “Shapes” is selected, the bounded region 202 is expanded and interposed a new separately delineated space between the separately delineated space occupied by the selected “Shapes” and the separately delineated space occupied by the unselected “Strokes”) (see Fig. 3-4, col 5, lines 54-64);

displaying, in the allocated space, at least one sub-menu item related to the controllable functions of the main menu item selected by the first operation of the item indicator, the at least one sub-menu item being selectable by a second operation of the item indicator (tools and options from the expanded menu panels relate to the expanded menu panels and are selectable) (see col 6, lines 1-11). Bowden differs from the claim in that Bowden neither teaches each menu panel corresponds to a set of controllable functions of a digital television nor teaches upon selection of a sub-menu item (tool/option), displaying in a second region a control function window, in for

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enabling at least one function corresponding to the selected at least one sub-menu item.

However, such features are known in the art as taught by Ohyama. Ohyama teaches a method for selecting television function (col 1, lines 60-65). Ohyama further teaches displaying in a first region of a television screen a menu comprising selectable main menu items which corresponds to controllable television functions (line 66 of col 1 to line 8 of col 2). Ohyama further teaches that upon selection of a main menu item, a control function window is displayed in a second region of the television screen, the control function window for enabling at least one function corresponding to the selected at least one sub-menu item (Fig. 3, 4A-B, Fig 7) (col 2, lines 8-31) (col 11, lines 34-46). Since both Bowden and Ohyama teach displaying different hierarchical levels of selectable menu items wherein each menu item and each submenu item correspond to controllable functions of an application or system and since Ohyama teaches displaying menu in a conventional method (i.e. allowing only a single selection of a menu item, see Ohyama, Fig. 3, 4A-B, Fig 7 and Bowden, col 1, lines 48-60), it would obvious to one of ordinary skill in the art, having the teaching of Bowden and Ohyama before him at the time the invention was made, to apply the expandable menu method taught by Bowden in Ohyama's television system so that the user of Ohyama's system can select many menu items and view corresponding submenu items of the selected menu items at the same time.

Regarding claim 50, Bowden teaches a method for displaying a menu (col 3, lines 20-24), the method comprising displaying in a first region a plurality of selectable main menu items (see master menu 200 which comprises a plurality of selectable menu

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panels 204-218) (see Fig. 3, col 5, lines 29-34), an item indicator (mouse 11, see Fig. 1, also see col 3, lines 11-17) for selecting any one of the plurality of selectable main menu items (for example, menu panels 208, 210, and 212 are selected as described in lines 54-57 of col 5 and Fig. 4-5), each main menu item being related to a corresponding set of controllable functions of an application or system (see col 5, lines 39-43) and occupying a separately delineated space of the first region (master menu is displayed in a bounded region, see Fig. 3, also see "Bounded region 202" of line 39 of col 5);

allocating, according to a first operation of the item indicator, a new separately delineated space formed by redisplaying the plurality of main menu items to interpose the new separately delineated space between the separately delineated space occupied by the selected main menu item and the separately delineated space occupied by the unselected main menu item, such that the interposed space abuts on each of the separately delineated space occupied by the selected main menu item and the separately delineated space occupied by the unselected main menu item (for example, when menu panel "Shapes" is selected, the bounded region 202 is expanded and interposed a new separately delineated space between the separately delineated space occupied by the selected "Shapes" and the separately delineated space occupied by the unselected "Strokes") (see Fig. 3-4, col 5, lines 54-64);

displaying, in the allocated space, at least one sub-menu item related to

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the controllable functions of the main menu item selected by the first operation of the item indicator, the at least one sub-menu item being selectable by a second operation of the item indicator (tools and options from the expanded menu panels relate to the expanded menu panels and are selectable) (see col 6, lines 1-11). Bowden differs from the claim in that Bowden neither teaches each menu panel corresponds to a set of controllable functions of a digital television nor teaches the system can be a television system.

However, such features are known in the art as taught by Ohyama. Ohyama teaches a television system having a storage for storing the system program (see Fig. 20), a screen for displaying the OSD menu (col 6, lines 35-39), a selecting device for moving the displayed item indicator with respect to the displayed OSD menu and for selecting any one of the main menu items according to the movement of the indicator (see Fig. 16-17). Ohyama further teaches displaying in a first region of a television screen a menu comprising selectable main menu items which corresponds to controllable television functions (col 1, lines 60-65) (line 66 of col 1 to line 8 of col 2). Ohyama further teaches that upon selection of a main menu item, a control function window is displayed in a second region of the television screen, the control function window for enabling at least one function corresponding to the selected at least one sub-menu item (Fig. 3, 4A-B, Fig 7) (col 2, lines 8-31) (col 11, lines 34-46). Since both Bowden and Ohyama teach displaying different hierarchical levels of selectable menu items wherein each menu item and each submenu item correspond to controllable functions of an application or system, it would obvious to one of ordinary skill in the art, having the teaching of Bowden and Ohyama before him at the time the invention was

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made, to apply the expandable menu method taught by Bowden in Ohyama's television system so that the user of Ohyama's system can select many menu items and view corresponding submenu items of the selected menu items at the same time.

***Allowable Subject Matter***

5. Claim 48 is allowed.

6. Reason for allowance:

Regarding claim 48, Lokuge (USP 6252597) teaches "a compress button may also be provided to collapse an expanded hierarchy (col 3, lines 66-67) or "if the category has already been expanded, a mouse button click contracts the category" (col 7, lines 8-11). Bowden teaches using an icon for closing expanded menu panel (col 5, lines 54-67). The prior art does not teach collapsing an expanded menu item by selecting a non-selected menu item as claimed. Specifically, the prior art does not teach or suggest "upon a user selection of a main menu item other than the selected main menu item, the first menu level is redisplayed by erasing the at least one sub-menu item displayed in the allocated space, closing the allocated space such that the first and second main menu items again occupy adjacent spaces, and then re-executing said allocating" in specific combination as recited in claim 48.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kieu D. Vu

Primary Examiner